

**RESOLUTION NO. 20R-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE BIGHORN-DESERT VIEW WATER AGENCY  
ESTABLISHING CERTAIN FEES AND CHARGES**

*(New Account Set-Up, Delinquent Account Service Charge and  
Reversing Payments for Non-Negotiable Bank Returns)*

**WHEREAS**, the Board of Directors of the Bighorn-Desert View Water Agency ("Agency") is required by law to fix and establish fees and charges which will enable the Agency to operate and maintain its water system, provide for debt service payments, repairs and depreciation plus a reasonable surplus for capital improvements; and

**WHEREAS**, the Agency Rules and Regulations for Water Service (adopted by Ordinance) provides for the amendment of certain charges by resolution, by majority vote of the Board of Directors; and

**WHEREAS**, the Board of Directors of the Agency desires to fairly allocate the costs of specified services listed below in a fair and equitable manner to be paid by those persons who are the actual beneficiaries or recipients of the services; and

**WHEREAS**, the *New Account Set-up fee* is assessed whenever a new customer sets up water service. The fee covers staff time to open the account in the billing software and dispatch an Operator to obtain a beginning meter read. The Agency will assess a fee of \$35.00 to set-up a new account; and

**WHEREAS**, the *Delinquent Account Service Charge* is assessed per the Agency Rules and Regulations on water bills which have remain unpaid for twenty (20) days after the date of the billing and therefore shall be assessed a delinquent charge of a minimum of \$5.00 or 5% of the "past due" amount; and

**WHEREAS**, the Agency does not charge interest on unpaid balances; and

**WHEREAS**, the *Reversing Payments for Non-Sufficient Funds Fee* is intended to cover the cost of reversing the payment in the utility billing customer account, dispatch a field technician to "hang a tag" to immediately notify the customer and to pay banking fees associated with the transaction. Non-Sufficient Funds result from a variety of banking issues such as an "unidentified account number", "closed account", "account with insufficient funds" and the like. The Agency will assess a fee of \$35.00 for each item returned from the bank as "non-negotiable".

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of Bighorn-Desert View Water Agency that the fees and charges identified below are set as follows:

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| 1) <i>New Account Set-Up Fee</i>                 | \$35.00 per occurrence                 |
| 2) <i>Delinquent Account Service Charge</i>      | \$5.00 min. or 5% of "Past Due" Amount |
| 3) <i>Non-Negotiable (e.g. NSF) Bank Returns</i> | \$35.00 per occurrence                 |

**BE IT FURTHER RESOLVED** that the foregoing fees and charges shall become effective immediately and that the foregoing fees and charges shall be applicable to all existing, new and/or transferred customer accounts, until further action by the Board of Directors of the Agency; and

**BE IT FURTHER RESOLVED**, that the General Manager and staff of the Agency are hereby authorized and directed to do such things and to take such actions as may be reasonably required to carry out the purpose and intent of this resolution and that Resolution Nos. 08R-15 and 19R-04 are hereby rescinded in their entirety.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors to Bighorn-Desert View Water Agency this 28th day of January 2020.

By *Judy Corl-Lorono*  
Judy Corl-Lorono, President of the Board

ATTEST:

*J. Larry Coulombe*  
J. Larry Coulombe, Secretary



Official Seal